

MARICOPA COUNTY BOARD OF HEALTH MEETING MINUTES

Monday, April 27, 2015

301 W. Jefferson Street, 10th Floor

Phoenix, Arizona 85003

Board of Supervisors Conference Room

President Andrew Ingram called the meeting to order at 3:04 p.m.

ROLL CALL:

Members Present:

Don Cassano
Andrew Ingram
Nedra Halley
Kip Steill
Don Hughes
Andrew Kunasek
Debra Baldauff

Members Excused:

Michael Mills, M.D.
Francisca Montoya

Ex-Officio: Bob England, M.D.

CALL TO THE PUBLIC:

Mr. Andrew Ingram announced it was time for a call to public and requested public comment forms for those who wanted to speak or who wanted to address any action items. The one public comment form was given to Mr. Ingram and is regarding agenda item #5.

ANNOUNCE RESIGNATIONS:

Mr. Ingram announced and welcomed the new Board of Health member, Mr. Don Hughes.

DISCUSSION/ACTION ITEMS

- 1. Approval of Minutes:** President Ingram asked for a motion to approve the minutes from the BOH Meeting held on January 26, 2015. Motion was made by Ms. Nedra Halley to approve the BOH minutes as presented. Motion was seconded by Mr. Kip Steill and the motion passed unanimously.

- 2. Fee Waiver Applications**

Ms. Jeannie Taylor

(See attached document-January 26, 2015BOH Fee Waiver Summary)

Ms. Jeannie Taylor presented forty (40) fee waivers for review and consideration of approval. There are twenty non-profit organizations and one sponsoring school district with completed fee waiver applications for consideration. A summary sheet document was provided.

Ms. Taylor asked if there were any questions that she could answer. Ms. Halley commented that she appreciated receiving the waivers in advance via email. Ms. Taylor replied that she appreciated the feedback, and will continue to send the fee waivers prior to the Board of Health meetings for review.

Motion to approve the 40 Fee Waiver applications was made by Ms. Halley, seconded by Mr. Ingram and all were in favor. Motion passed unanimously.

3. Approval of initiation of regulatory change to the Maricopa County Air Quality Department's New Source Review rules – AQ-2013-005- New Source Review

**Ms. Johana Kuspert
Ms. Corky Martinkovic**

Ms. Johanna Kuspert introduced herself as the Supervisor in the Rules Unit in the Air Quality Department, and introduced Ms. Corky Martinkovic, Manager of Planning Analysis Division. Ms. Kuspert also introduced Philip McNeely, the Director of Air Quality. Ms. Kuspert and Ms. Martinkovic are requesting approval of initiation of the regulatory change of the new source review rules. The purpose of making the changes is to comply with Arizona Department of Environmental Quality (ADEQ). The changes are regarding preconstruction permitting programs to get air quality permits before starting construction or making major modifications. The source must undergo preconstruction review prior to being issued an air quality permit. The new rules are regarding what goes into the actual permit and what a source has to do to show what emission it creates when it's operating. Mr. Ingram asked what an example of a station source is. Ms. Kuspert answered a gas station. In the past year, there have been 3 workshops, and the Air Quality Department have received no written comments from stakeholders. Stakeholders have been present at the workshops. Ms. Halley asked if these rules apply to boiler rooms that heat apartment complexes. Ms. Kuspert responded that depending on the size of the boiler, it could. Ms. Kuspert also explained that there is a minor source program, and standard level is lower.

Motion to approve initiation of regulatory change to the Maricopa County Air Quality Department's New Source Review rules – AQ-2013-005- New Source Review was made by Mr. Don Cassano, and seconded by Supervisor Andrew Kunasek and the motion passed unanimously.

4. Enhanced Regulatory Outreach Program (EROP)

Mr. Steven Goode

Case ES-2015-001/30Day Transition – Proposed revision to the Maricopa County Environmental Health Code. The staff report for this case may be viewed on the EROP website at :

https://www.maricopa.gov/regulations/es/pdf/meetings/ES-2015-001_4-27-15_SR.pdf

5. Enhanced Regulatory Outreach Program (EROP)

Mr. Steven Goode

Case ES-2015-002-Micro Market Fees – Proposed revision to the Maricopa County Environmental Health Code. The staff report for this case may be viewed on the EROP website at:

https://www.maricopa.gov/regulations/es/pdf/meetings/ES-2015-002_4-27-15_SR.pdf

Agenda items 4 & 5 were presented together. The ad hoc task force group recommended these changes in June, and it has been approved by the Board of Supervisors. Case ES-2015-001 would allow new owners of existing food establishments to remain in business for 30 days while the permit application review is in process. This is falling to Board of Health for policy and work load process and no fee changes are requested. The recommendation is for the case to move forward through the expedited process. Case ES-2015-002 was also recommended by the ad hoc group that came together. Environmental Services is asking for a reduction for current micro market health fees pursuant to Arizona revised statutes ch. 11-25108. The proposed fees for an operating

permit are \$155 and micro market reference plan to \$270 and the micro market processing fee be \$20. There has been one supporting comment and no opposing comments. There was a stakeholder meeting, and the stakeholder verbally supported her support and is present today. The recommendation is for the Board to approve Environmental Services moving forward through the expedited EROP process. Mr. Ingram asked what entities fall under a micro market. Mr. Goode responded that currently, there is one entity that falls into this category. Mr. Andy Linton further explained that micro market is a new concept in the vending industry and is an unattended retail food establishment in a controlled environment; it is a retail market where consumers use a card and pay for products. Similar to other vending machines, it requires temperature control.

Ms. Alaine Arena, representing the Arizona Automatic Merchandising Council, also wanted to speak in regards to agenda #5 and voice their support for the new fees. Ms. Arena commented that the regulatory structure code changes were adopted in December; the fees that vendors have to use until the board adopts the fees are significantly higher. Ms. Arena requests that the Board of Supervisors considers making the fees retroactive.

Supervisor Kunasek had a question regarding what the micro vendors pay now. Mr. Linton explained that the limiting fee is the plan review fee, which applies to most restaurants. It is a \$615 per location. When the fee study was complete, it came out to be \$270 which is significantly less that is currently being charged. The permit fee that is being applied to the micro markets is the same fee that would be applied to a convenience store. The new micro market permit fee is \$175. The current fee for permit for a retail food store is \$235. The total startup cost for a micro market is about \$850 compared to \$425 under the new fee structure. The ultimate approval for these fee changes will come from the Board of Supervisors.

Motion to approve EROP Case ES-2015-001 was made by Mr. Steill and seconded by Mr. Cassano and the motion passed unanimously.

Motion to approve EROP Case ES-2015-002-Micro Market Fees was made by Mr. Cassano and seconded by Ms. Baldauff and the motion passed unanimously.

Discussion Items:

Dr. Bob England

(A copy of MCDPH's Second Quarter Report was included in the BOH materials)

- 1. Public Health Report:**
 - i. Human Resources**
 - ii. Communication**
 - iii. Infrastructure**
 - iv. Strategic Planning**
 - v. Programs**
 - vi. Disease Update**
 - vii. Future Topics**

Dr. Bob gave an update on Human Resources and programmatic moves. Jeanene Fowler, the former Public Information Officer was recently promoted to Programs Operation Administrator. Tracy Cruickshank has been hired as the Health Integration Manager to work on the healthcare community

interface. Also recently hired are a healthcare policy employee and nutrition and physical activity policy employee. The internship and volunteer coordinator position has also been recently filled. MCDPH has also hired a workforce health initiatives coordinator for internal staff, and also a Community Health Assessment Coordinator. Some pending positions are the Public Information Officer, the Behavioral Health Coordinator position that will be used primarily to interface with the jail & Correctional Health. Also pending is the Prescription Drug Abuse and Misuse position and the Worksite Policy initiatives. The Public Health Policy consultant position has been discontinued.

One major program change is the closing of the Adult Immunization Clinic. Dr. Bob reports that so far the transition has gone relatively smoothly. We have been making sure that the relatively few individuals are able to seek this service in the private sector.

The SNACK program which is funded by First Things First has been discontinued. This program funded a gamut of different programs including car seat safety, nutrition, and further healthcare referrals for specific zip codes. There is some First Things First funding that is not able to be used at the moment because their timeline is late and the meeting to approve is not until June 10th and the potential start date for the program is July 1st.

IGA with ADHS is working well. Dr. Bob provided an update on the two pending lawsuits, legislature vs. Gov. Jan Brewer regarding Medicaid expansion and alleging that the hospital fees are actually a tax and should have received a 2/3 vote. The other pending lawsuit is the US Supreme Court case regarding state subsidies. AHCCCS has to go the waiver process soon and there is a movement from the Arizona Hospital Association to get a unified waiver request. HB2643 may prohibit MCDPH from participating in any way with advancement for the ACA which may require MCDPH give back the Navigator grant.

Dr. Bob reported that the University of Arizona has created the Center for Population Health with Will Humble. This center is going to provide MCDPH with a return on investment analysis. This will help MCDPH understand the benefits and costs associated with each program, and help MCDPH when making programmatic decisions.

The accreditation site visit is June 10th. The Community Health Improvement Plan is working well. The Community Health Assessments are required for funding for many organizations, and for that reason, MCDPH has pooled resources with other organizations to have one CHA completed and jointly plan.

The next item is the FY2016 Budget. Mr. Max Porter explained that by statute the Board of Health is required to approve the budget. Since Board of Health meetings are quarterly, we are waiting for legal opinion if we need to have an electronic meeting to have members of the Board of Health approve it. Once the Board of Health has approved the budget, the Board of Supervisors will approve it as well. Bruce White or Anne Longo will be able to let us know. All members have received a budget book for both Environmental Services and Public Health.

Disease Update: Dr. Bob reported that MCDPH staff did a great job responding to the Super Bowl activities, the measles outbreak, and ongoing EBOLA tracking, all simultaneously. Measles is incredibly expensive to treat, and there was a lot of discussion regarding herd immunity. Dr. Bob is unsure on how to go forward with communicating the importance of herd immunity. Dr. Bob said many in healthcare reacted to the measles outbreak by illustrating their frustrations to parents. Dr. Bob noted that from a behavior change standpoint, the people that need to be reached are the parents that are hesitant to vaccination.

Dr. Bob took a moment to welcome Kelsey Krick, Executive Assistant and Mr. Don Hughes, new member of the Board of Health. Dr. Bob mentioned the University of Arizona Public Health 101 training class held at Arizona Department of Health Services. If anyone is interested in taking this course, please let Dr. Bob know.

Mr. Hughes raised a question regarding First Things First. Dr. Bob explained that First Things First is voter-approved early childhood health funding initiatives to supplement other programs in the community. First

Things First is organized into regions throughout the state. Maricopa County has multiple regions. Each region has a council and develops their own strategies on what they want to fund. First Things First will provide different services depending on what region citizens live and what that region has decided to fund. Supervisor Kunasek questioned who appoints the First Things First regional councils. Dr. Bob noted that members will apply to become a member of the regional council and are appointed by the governing board of the whole First Things First division. Mr. Hughes wondered in the First Things First main council is a local council, and how members are appointed to that council as well. Dr. Bob was unsure and Mr. Porter said they could let the Board know next meeting.

ANNOUNCEMENTS AND CURRENT EVENTS

- Next meeting is July 27, 2015

ADJOURNMENT: There being no further business, motion to adjourn the meeting was made by Mr. Cassano, seconded by Ms. Halley and motion was passed unanimously. The meeting was adjourned at 4:00 p.m.